IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.927 OF 2006

Gobind Prasad Agrawal .. Petitioner.
Vs.
State of Maharashtra & Ors. .. Respondents.

WITH

CRIMINAL APPLICATION NO.2179 OF 2006

Gobind Prasad Agrawal .. Applicant.
Vs.
State of Maharashtra & Ors. .. Respondents.

WITH

CRIMINAL APPLICATION NO.2180 OF 2006

Gobind Prasad Agrawal .. Applicant.
Vs.
State of Maharashtra & Ors. .. Respondents.

WITH

CRIMINAL APPLICATION NO.2181 OF 2006

Gobind Prasad Agrawal .. Applicant.
Vs.
State of Maharashtra & Ors. .. Respondents.

WITH

CRIMINAL APPLICATION NO.2182 OF 2006

Gobind Prasad Agrawal .. Applicant.
Vs.
State of Maharashtra & Ors. .. Respondents.

WITH

CRIMINAL APPLICATION NO.2183 OF 2006

Gobind Prasad Agrawal .. Applicant.
Vs.
State of Maharashtra & Ors. .. Respondents.

WITH

CRIMINAL APPLICATION NO.2184 OF 2006

Gobind Prasad Agrawal .. Applicant.
Vs.
State of Maharashtra & Ors. .. Respondents.

Mr.S.V.Marwadi for the petitioner/applicants.
Mr.R.Y.Mirza A.P.P. for the State.

CORAM : D.B.BHOSALE, J.

DATED : 2ND AUGUST, 2006

P.C.:

. Heard learned counsel for the petitioner/applicant and learned A.P.P. for the State.

2. These seven petitions are filed by one Govind P.Agarwal. He is arraigned as accused in seven different complaints filed under section 138 of the Negotiable Instruments Act. He has stated in all the petitions that he had resigned as a Director on 8.7.1996 i.e. much prior to issuance of the cheques and/or when the offence under section 138 was allegedly committed by the other accused. Form 32, under the Companies Act, 1956 supports the claim of the petitioner. The learned counsel appearing for the complainant in all the complaints, on instructions, fairly states that the complainant may be permitted to delete his name as accused from all the complaints and allow to prosecute the complaint against other

accused. Considering the statement made by the learned counsel for the complainant, and a copy of form No.32 under the Companies Act, 1956 I am satisfied that the following order shall meet the ends of justice:

. The name of the petitioner/applicant Govind P.Agarwal stands deleted from all the complaints bearing Nos.1638/S/2002, 2167/S/2002, 4307/S/2002, 4306/S/2002, 1032/S/2002, 2161/S/2002 and 2168/S/2002. Consequently, the proceedings against the petitioner, as prayer for, stand quashed. The learned Magistrate shall proceed with the complaint against other accused and dispose them of as expeditiously as possible and preferrably within a period of six months from the date of receipt of this order. It is open for the complainant to make appropriate application before the Magistrate for clubbing all the cases with further request to hear them together. If such an application is filed, same may be considered in accordance with law.

. The petition/applications are, accordingly, disposed of.

(D.B.Bhosale, J.)